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BROOKLYN OFFICE

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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THEODORE F. JOHNSON,

Plaintiff,

-against-

WASHINGTON MUTUAL BANK et al.,

Defendants.
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AMON, Chief United States District Judge:

Before the Court is the report and recommendation (R & R) of the Honorable Robert M. Levy, United States Magistrate Judge, which is dated July 11, 2011.

The R & R recommends that the Court (a) deny the plaintiff's two motions for a default judgment; (b) grant the defendants' motion for judgment on the pleadings, Fed. R. Civ. P. 12(c); and (c) order the plaintiff to show cause why he should not be barred from filing any future action related to his mortgage loan agreement and escrow account without first obtaining leave of court.

The time for objecting to the R & R has passed. No party has objected, although the plaintiff has filed a third motion for a default judgment, which is dated July 22, 2011.

The Court reviews those portions of the R & R to which a party has objected de novo and reviews those portions not objected to for clear error. Larocco v. Jackson, No. 10-CV-1651, 2010 WL 5068006, at *2 (E.D.N.Y. Dec. 6, 2010). The Court "may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge." 28 U.S.C. § 636(b)(1).

The Court has reviewed the R & R and, seeing no clear error, adopts its recommendation that the plaintiff's motions for a default judgment be denied and that the defendants' motion for judgment on the pleadings be granted.

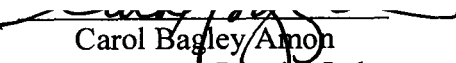
The Court declines at this point to issue an order to show cause, but the plaintiff is cautioned that any future effort to litigate this matter for a third time may be met with sanctions, including a filing injunction that bars the plaintiff from filing another such action without leave of court.

Finally, the July 22, 2011 motion for a default judgment—which is longer than the first two motions for a default judgment but which does not present any persuasive claim to relief—is denied for the reasons stated by the R & R in connection with the first two motions.

The Clerk of Court is directed to enter judgment accordingly and to close this case.

SO ORDERED.

Dated: Brooklyn, New York
August 2, 2011

/S/

Carol Bagley Amon
United States District Judge